

No. 3

AN ORDINANCE GRANTING TO FORT BEND TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO ERECT, CONSTRUCT, MAINTAIN, OPERATE, USE, EXTEND, REMOVE, REPLACE AND REPAIR, IN, UNDER, UPON, OVER AND ACROSS AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE STREETS, SQUARES, PARKS, LANES AND ALLEYS OF THE CITY OF PATTISON, TEXAS, A SYSTEM OF POLES, POLE LINES, WIRES, GUYS, CONDUITS AND OTHER DESIRABLE INSTRUMENTALITIES AND APPURTENANCES NECESSARY OR PROPER FOR USE IN CONDUCTING A TELEPHONE AND COMMUNICATION SYSTEM TO THE MUNICIPALITY AND INHABITANTS OF SAID CITY OF PATTISON, OR ANY OTHER PERSON OR PERSONS: AND PROVIDING FOR A RENTAL CHARGE FOR THE USE OF SAID STREETS, ETC., BY SAID COMPANY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF PATTISON, TEXAS:

SECTION 1. The word "Grantee" herein shall denote Fort Bend Telephone Company of Rosenberg, Texas, its successors and assigns; and the word "Grantor" shall denote the City of Pattison, Texas.

SECTION 2. That the City of Pattison does hereby grant unto the said Grantee, its successors and assigns, the right, privilege and franchise to erect, construct, maintain, operate, use, extend, remove, replace and repair in, under, upon, over, across and along any and all of the present and future streets, squares, parks, lanes and alleys owned or controlled by the City of Pattison, a system of poles, pole lines, transmission lines, wires, guys, conduits and other desirable instrumentalities and appurtenances necessary or proper for the purpose of carrying on and operating a telephone and communication system in and to the municipality and inhabitants of the City of Pattison, or other person or persons, firms or corporations, and for any purpose for which telephonic communications may be used; to carry, conduct, supply and distribute telephone and communication

service by means of said poles, pole lines, transmission lines, conduits, or other instrumentalities, and to sell telephone service to the inhabitants of said City of Pattison, or other person or persons, firms or corporations.

SECTION 3. Poles, pole lines, guys, conduits and other instrumentalities used by Grantee shall be so erected as to interfere as little as possible with traffic over the streets and alleys and the use of the same by the municipality and inhabitants of the City of Pattison.

SECTION 4. The service furnished hereunder to said City and its inhabitants shall be first class in all respects, considering all circumstances, and shall be subject to such reasonable rules and regulations as Grantee may make from time to time. Grantee may require reasonable security for the payment of its bills.

SECTION 5. Grantee shall hold the City harmless for all expense or liability for any act or neglect of Grantee hereunder.

SECTION 6. Nothing herein contained shall ever be held or construed as conferring upon the Grantee any exclusive rights or privileges of any nature whatsoever.

SECTION 7. That on or prior to May 7 of each and every year, beginning May 7, 1974, Grantee agrees to pay to the Grantor a sum equal to 2% on the gross annual rental of all telephones located within the

corporate limits of the City of Pattison for a term of 50 years, as an annual rental for the use of said streets, alleys, lanes, etc. for poles, pole lines, transmission lines, conduits or other instrumentalities serving the municipality and/or its inhabitants. Upon payments of the said rentals Grantee shall be authorized to use and occupy said streets, alleys, lanes, etc., in carrying on its business for a period of 12 months from May 7 to May 7 of _____ each year.

The rentals so charged is not charged as a tax but is made for the privilege now enjoyed and to be enjoyed by Grantee of using said streets, alleys, lanes, etc., in the conduct of its business and such charges are additional to all ad valorem taxes whatsoever against said Grantee. No additional tax, levy or charge shall ever be made against the Grantee for the use of said streets, alleys, lanes, etc. by said Grantee.

SECTION 8. This ordinance shall be in force and effect from and after its passage; and, upon the filing of a written acceptance with the Secretary of said City of Pattison, Texas, by Grantee within sixty (60) days after the final passage of this ordinance, same shall then become a binding contract and shall exist for a period of Fifty (50) years.

PASSED and duly enacted as an ordinance of the City of
Pattison, Texas, in accordance with the laws of the State of
Texas, and the Charter of said City of Pattison, on this the
7th day of May, A.D. 1973.

Allen M. Taylor
Mayor

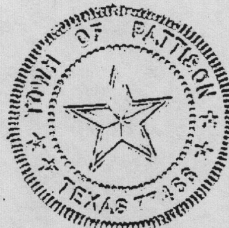
Frank Gosternik
Alderman

Norman Yutman
Alderman

Rev. Jack Branch
Alderman

M. M. Norton
Alderman

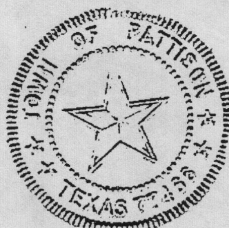
Eleanor Buller
Alderman



ATTEST:

M. M. Norton
Secretary

I hereby certify that the foregoing is a true and correct
copy of an ordinance passed and appearing in the Minutes of
the Board of Aldermen of the City of Pattison Meeting held on
the 7th day of May, A.D. 1973, and is recorded
in Vol. 1, Page of the Minutes of said Board of
Aldermen of the City of Pattison.



M. M. Norton
Secretary of the Board of Aldermen
of the City of Pattison, Texas.

The Fort Bend Telephone Company accepts the ordinance
passed by the Board of Aldermen of the City of Pattison,
Texas, on the 7th day of May, 1973.

FORT BEND TELEPHONE COMPANY

By Mayde W. Butler
President